

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #13-351

SUMMARY/RESPONSE TO COMMENTS FROM THE PUBLIC HEARING

The following is a summary of the comments received and ISDH's responses thereto:

General Comments:

Carlie Hopper expressed support for the proposed changes to the residential rule.

Randy Dyer stated that he had no concerns about the proposed changes in the rule.

Comment by Stuart Meade: He states that the term "effluent pump" in the rule should be changed to "effluent/sewage pump."

Response: There are numerous effluent pumps available to serve this purpose. Sewage pumps are more expensive to purchase and to maintain/operate. There is no justification for making this change. No revisions proposed due to this comment.

Comment by section/topic:

Comment by Julia M. Hayes: She requests a different separation distance in Table II, section 61 for closed loop geothermal systems vs. open loop geothermal systems.

Response: This distinction is already in Table II. No revisions proposed due to this comment.

Comment by Theo B. Terry: His comments relate to septic tank outlet filters; for section 72(e)(4), Mr. Terry outlines the reasons why the requirement should be removed that sewage, sludge, or scum not bypass the filter during maintenance.

Comment by Harry Plander: He states that the requirement in section 72(e)(5) that no bypass of sewage be allowed during filter cleaning should be removed and gives the reasons why.

Comment by Julia M. Hayes: She states that there are conflicts with filters that do and do not meet the requirement of section 72(e)(5) about the bypass of sewage during filter cleaning.

Response: Changes proposed to section 72(e)(5) to allow for the use of additional filter technologies without compromising the primary purpose of the filters.

Comment by Theo B. Terry: In section 72(f)(3), he suggest that for clarity and simplicity, the language at the end of the section not be a percentage but rather state that the outlet not extend within eighteen inches of the floor of the septic tank.

Response: Due to the number of tanks with different dimensions, changing to a simple measurement from the floor of the tank would not provide appropriate clearance from the bottom

of the tank to the outlet in all tanks. Therefore, this change should not be made. No revisions proposed due to this comment.

Comment by Theo B. Terry: For section 72(f)(5) He states that the pipe connection must be solvent weld, but item (1) states that connections and fasteners must be noncorrosive. He sees this as a conflict in requirements.

Response: The perceived conflict here does not exist. Section 72(f)(1) states that the outlet filter housing must connect to the outlet pipe or structure wall with noncorrosive fasteners. Section 72(f)(5) states that the outlet filter housing shall be solvent welded to a PVC Schedule 40 outlet pipe. As the solvent weld is a form of noncorrosive fastener, there is no conflict here. No revisions proposed due to this comment.

Comment by Kris Thomas: She states that section 74(f) allows an elbow or sanitary tee in place of the baffle in the distribution box; however, section 84(f) states there must be a baffle or an elbow turned down. There is no mention of a sanitary tee.

Response: This is a change that must be made for consistency in the rule. The appropriate change is proposed for section 84(f).

Comment by Julia M. Hayes: She states that for section 74(g)(3), when flow adjusters are used in the outlets of distribution boxes, then the box no longer meets the minimum requirement that the effluent ports be at an elevation at least one (1) inch lower than the influent port.

Response: This is not a state wide issue, but instead is a possible issue with one distribution box on the market in this county. Department staff will work with the distribution box manufacturer and the local health department, as needed, to resolve this potential issue. No revisions proposed due to this comment.

Comment by Linda Mauller: She states that Section 79(f) and Section 79(b) are inconsistent in that they do not address the requirement of pressure distribution with separation distances between 24 inches and 30 inches. She also states that Section 79(b) is not consistent with Table VI for separation distances to a soil loading rate of 1.20 gpd/ft².

Response: This comment addresses a section outside of the scope of the proposed amendments so no revision to this section will be made at this time.

Comment by Stuart Meade: He questions the change to Table VII, Section 84(b) in that finding a pump to discharge strictly between 30-35 gpm would be impossible in many situations.

Response: The requirement since 1990 has been that the discharge rate is to be 30 gpm in this situation. The change to 30-35 gpm is to allow more flexibility in pump selection. In the 13 years that this requirement has been in effect, the department has received no information or comment that finding pumps to meet this requirement is a problem. No revisions proposed due to this comment.